

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

LONNIE WAYNE DAVIS

§

VS.

§

CIVIL ACTION NO. 9:13cv224

LT. DEBORAH R. DENBY, ET AL.

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Lonnie Wayne Davis, an inmate at the Stiles Unit, proceeding *pro se*, brought this civil rights suit pursuant to 42 U.S.C. § 1983 against Lieutenant Deborah R. Denby and Unknown Henson, a former correctional officer.


The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends the defendant's motion for summary be granted, and the complaint should be dismissed with prejudice as to all defendants. Further, the magistrate judge recommended declining the exercise of supplemental jurisdiction.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. The exercise of supplemental

jurisdiction is **DECLINED** pursuant to 28 U.S.C. § 1367(c). A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 7th day of September, 2016.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE